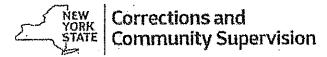
Exhibit I



ANDREW M. CUOMO Governor

ANTHONY J. ANNUCCT Acting Commissioner

MEMORANDUM

FROM: Karen Bellamy, Director, Inmate Grievance Program

SUBJ: Receipt of Appeal

Green Haven Correctional Facility
Your grievance GH-79241-15 entitled
Verbal Harassment/Withholding Meals
was rec'd by CORC on 10/2/2015

CLASE DIEFERDRY SE ERUCADERIO

GRIEVANCE NUMBI	CR: 6479	7241-1	5_			•
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DIN:			, in the second of the second	معيونها كالمراجع المراجع المرا	٠.	
TITLE: Ve	CHAL HARP	iss ment,	/withHol	lig meals		;
GH CODE: 49	TEMI	TUTIO	IAL / DEP	ARTMENTA	L I	
DATE FILED: 3	-13-15		· ·			
HEARING DATE:	PT:3/	13/15	•	,		
SUPT. DATE:	-13-15	Problem of Section 19				
APPEAL DATE:	5-21-15					,
		rigarn	VE HVIFOR	MATHON		
IGRC INVESTIGATIO	· I DATE:					
FACILITY POLICY#	On which were formulated the second of the color responses.	e. Alang, agri 10 Morana (rocco)		nathery ste	•	
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SUPERVISOR DATE:		era na katabur say suringgangan nagangan na	`.			
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IGP SUPERVISOR'S SIGN	ATURE:	All GB	Hanas	Zuy DAT		8/29/15

ANDREW M. CUOMO

ANTHONY J. ANNUCCI
Acting Commissioner

GRIEVANCE CASE HISTORY AND RECORD GREEN HAVEN CORRECTIONAL FACILITY

GRIEVANCE NUMBER: GH79241-15

NAME:

To the

DIN:

TITLE:

Verbal Harassment/Withholding Meals

CODE:

49

Description of Problem:

Date: 3-13-15

The grievant complains officer has engaged in continuous acts of harassment against him and who's attitude demonstrates unprofessionalism.

Action Requested: Grievant requests that the officer conduct himself in compliance with DOCCS rules and regulations.

IGRC Recommendation:

Date: 3-13-15

Passed through to Superintendent

Superintendent Response:

Date: 4-13-15

According to the investigation the grievant was interviewed by Sgt. M on 4/2/15. The grievant offered no witness to be interviewed. The grievant offered nothing to further his written complaint. Copies of the go-around have been obtained. There is no indication that the grievant did not receive what was requested. The officer named in this complaint (CON) was interviewed by Sgt. M and a written statement has been obtained. The officer states that inmates are released from their cells based on what they request on the go-around. The officer denies the grievant's allegations of harassment. According to the investigation the grievant's allegations could not be substantiated. *** Grievance is denied only to the extent noted above.

Appeal to CORC:

Date: 5-19-15

The grievant appeal is being submitted late on behalf of an incident that took place on 4-21-15 as well as being placed in SHU with no access to property.



STATE OF NEW YORK

DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

GREEN HAVEN CORRECTIONAL FACILITY 594 RT, 216 STORMVILLE, NY 12582

ANTHONY J. ANNUCCI ACTING COMMISSIONER

THOMAS R. GRIFFIN SUPERINTENDENT

<u>MEMORANDUM</u>

TO:	Superintendent Griffin
FROM:	L. Stanaway, IGP Supervisor
SUBJECT:	Initial Superintendent Reviw of Grievance Coded 49 - Staff Misconduct
DATE:	3/16/15
Grievant's N	ame: DIN Loc
GRIEVANCE	NUMBER: GH 79241-15
Attached is a review within	grievance that has been coded as a 49 - Staff Misconduct. Please 24 hours, and note your findings: Superintendent Initial:
	Date Reviewed:
APPLICATION OF THE PARTY OF THE	I concur with the filing of this grievance as being coded 49. An investigation bycan proceed.
	I DO NOT concur with the filing of this grievance as being coded 49. The following action should be taken:
	This incident has been previously or is currently being investigated By
	the attached to the IGP Supervisor. Thank you.

Grievant	Number Call	
State of New Yo	Grievance Number 79241-15	Date Filed 3/13/2015
Corrections and Community Supervision	Title VERBAL HARASSMENT/WITHOLDHIG MEALS	Code 49
Inmate Grievance Program	Superintendent's Signature A A A A A A	Date : 4-13-15

The grievant complains of harassment.

Form 2133 (Rev. 2/89)

According to the investigation the grievant was interviewed by Sgt. M on 4/2/15. The grievant offered no witness to be interviewed. The grievant offered nothing to further his written complaint. Copies of the go-arounds have been obtained. There is no indication that the grievant did not receive what was requested.

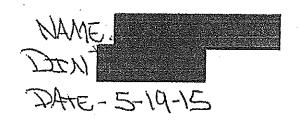
The officer named in this complaint (CON) was interviewed by Sgt. M and a written statement has been obtained. The officer states that inmates are released from their cells based on what they request on the go-arounds. The officer denies the grievant's allegations of harassment.

According to the investigation the grievant's allegations could not be substantiated.

*** Grievance is denied only to the extent noted above.

If you wish to refer the above decision of the Superintendent please sign below and return this copy to your inmate Grievance Clerk. You have seven (7) calendar days from receipt of this notice to file your appeal. Please state why you are appealing this decision to C.O.R.C.

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ERED :	beild S	1941 Mel	12/0	Todad de	A on	incident
that took	More ON	ylailis ias	well!	oeing Place	W IN	SHOWING
No access	s to Philer	+ +		·		
		•		di	9/15	
	Grievani's Signature				Date	
I.K.	Leocock				21/15	acento
	Grievance Clerk's Signa	HISTORICAL G	RVCS 0000)83	Date	-



I AM APPENDED THIS GREGARDS IN FEGARDS
THAT THIS WAS A CONSTANTUL OF CONTENOUS PAROMEMENT
AND THEOREGARD OF ME CHIEN TO THE MESCHALL.

THE GREENANCE WHO NOT TOBLISHED AND ACCURATE TO BE DENTED IT THE DESPECTED OF RULES AND TEGULATIONS OF EMPROYEE MANUAL, 2-12, 2-8, 10/3, 102.1 AND ETGHTH AMENDMENT WAS VEXAMED CONTENUOUSLY.

THIS GREATIVE appeal is being Submitted late on bendt of an incident that occurred an ularis IN MATCH I WE PLACE IN STY, INTITY NO ACCES HISTORIEALERGESTO 10084



FORM 21311E (9/12)

STATE OF NEW YORK - DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

INMATE GRIEVANCE COMPLAINT

Grievance No.

•			79241-15
Green Haven	E	ORRECTIONAL	FACILITY
			Date: February 127, 2
Name:	Dept.	No.: [Housing Unit:
		•	AM PI
(Please Print or Type – This form m	nust be filed w	ithin 21 calend	ar days of Grievance incident)*
Description of Problem: (Please make as brief	as possible)	N	
Sec	a+ta	ched	<u> </u>
Grievant · Signature:			
Grievance Clark:		Date	
Advisor Requested ☐ YES ☐ NO V	Who:		
Action requested by inmate:	•		
	<u> </u>	attacl	red
		·	
The Grievance has been formally resolved as fo	ollows:	•	WAR 6 1 SIAM
			,
		· · · · · · · · · · · · · · · · · · ·	
	<u>,</u>		
This Informal Resolution is accepted: (To be completed only if resolved prior to hearing	ıg)		•
Grievant Signature:			Date:

If unresolved, you are entitled to a hearing horacter properties of the first condition in the time limit may be requested under Directive #4040, section 701.6(g).

#79241-15

Name: Din: Date: BLOG R & SAM

This Grievance is being submitted to complain about the acts and actions of Correction Officer Naggie, who has engaged in continuos acts of Harassment against me and who's attitude has demonstrated that there is some reason to question whether he should be employed in the capacity of D.O.C.C.S.

On February 24, 2015, I _______, came back from the west side mess hall and locked in my cell. Shortly thereafter Correction Officer Naggie, came to my cell and verbally disrespected me for No apparent reason, he started shouting in a loud tone, accusing me of eye balling someone in the mess half. I then asked Correction Officer Naggie, what is he talking about (?) Correction Officer then said listen to me you Fucking Spic, if you do it again it's going to be a problem.

On the following day February 25, 2015. Block on G-company during the go-around (11:00am) Correction Officer Naggie, approached my cell I informed him that I would like chow and J-school, Correction Officer Naggie, shouted at me and said as long as I'm here you will not be going to the mess hall. I inquired with correction Officer Naggie, why can't I go to the mess hall to eat(7) he then clearly stated because I Fucking said so. I then mentioned to correction Officer Naggie, that if your not going to allow me to go to the mess hall, Please provide me with a feed-up tray. Correction Officer Naggie, then stated your not getting shit.

On February 26, 2015, Correction Officer Naggie, did the go-around again on Company. As Concetion Officer Naggie, approached my cell . I informed him that I wanted chow and I-school, Correction Officer Naggie, verbally disrespected me by stating what part don't you understanding you stupid Fucking Spic, just like I told you yesterday when ever I'm working your not going to the Fucking mess half, nor are you getting a feed-up tray. I then mentioned to Correction Officer Naggie, that I would like to see a sergeant, Correction Officer Naggie, then stated your not seeing any fucking body, now shut the fuck up.

On February 27, 2015, correction Officer Naggie, did the go-around again on company. I informed correction officer Naggie, to please put me down for chow and J-school. Shortly thereafter correction officer Naggie, stated to me that all you mother fuckers are all the same supid and a waste of a human being. I then stated to correction officer Naggie, to please call the area sergeant, correction officer Naggie, then said shuf the fuck up and stop crying like a fucking baby, if you don't like what I'm doing then don't come to jail.

The following are violation committed by Correction officer Naggie,

EIGHTH AMENDMENT RIGHT: Cruel and Unusual Punishment Inflicted, I was denied to go the mess hall to eat, and I was not provided a meal to eat.

2. 12 - Language; Employees' Manual

An employee shall refrain the use of indecent, profane, or abusive language or gestures while on duty or on state property.

2.8 - Non-Discrimination

No employee shall discriminate against any person on the basis of race, creed, color, age, sex, sexual orientation, national origin, marital status, or disability.

101.3 - Knowledge of Rules
Every employee shall have a working knowledge of the contents of the Employees' Manual with
Department and Institution of office rules, regulations, Directives and procedures, and Laws of the
state of new York which have bearing upon his power and duties.

102.1 - Personal Conduct
An employee shall not knowingly or willingly violate any law or ordinance of the United States or the State of New York or any rule or regulation of the Department.

ACTION REQUESTED:

- 1. That a copy of this Grievance be sent to the office of Diversity Management; Inspector General Office, The Deputy Commissioner of D.O.C.C.S., and the Hub Superintendent.
- 2. That a proper Investigation be conducted with this Grievance pursuant to Directive #4040, #2110 #2112;
- 3. No retaliation against me for good faith utilization of the Grievance Mechanism cease and desist from unlawful Racial Discrimination;
- 4. For Correction Officer Naggie, to conduct himself in compliance with his rules and regulations and act professionally while on State property;
- 5. I have a First Amendment Constitutional Right to submit a Grievance / Complaint against an officer who has violated my rights in any manner. The United States Supreme Court has made a ruling that prison guards must follow in order to perform his/her professional responsibility within D.O.C.C.S.



Corrections and Community Supervision

ANDREW M. CUOMO Governor

ANTHONY J. ANNUCCI
Acting Commissioner

To: I.G.R.C. supervisor

From: Sgt. P. Moreau

Subject: G.H. 79241-15

Date: 4/2/15

On 4/2/15 Inmate was interviewed by me
In reference to G.H. 79241-15 in the counseling area of building
2 at approximately 8:45 A.M. Inmate stated to me that he
had no witnesses to offer for interview purposes and that what
he put on paper is what his grievance is. At this point there is
nothing to add to the complaint. The Go arounds were checked
and inmate is on the Go arounds for the things he claims
he asked for. Officer Nagy denies all accusations against him and his
written answer is attached. There is no way to prove that Inmate
did not receive what he asked for on the Go Around.

Respectfully Submitted:

5672 More

Sgt. P. Moreau



Corrections and Community Supervision

ANDREW M. CUOMO Governor

ANTHONY J. ANNUCCI Acting Commissioner

To: I.G.R.C. supervisor

From: Sgt. P. Moreau

Subject: G.H. 79241-15

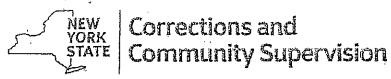
Date: 4/2/15

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had no witnesses to offer for interview purposes and that what
he put on paper is what his grievance is. At this point there is
nothing to add to the complaint. The Go arounds were checked
and inmate is not on the Go arounds for the things he claims
he asked for. Officer Nagy denies all accusations against him and his
written answer is attached.

Respectfully Submitted:

Sgt. P. Moreau

56.T. F. Mine



ANDREW M. CUOMO Governor

ANTHONY J. ANNUCCI Acting Commissioner

TO: SGT MOREAY

From: Correction officer M. NAGY

Subject: GUEVANCE #1924/

Date: 3-30-15

\$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
Sr,
IN RESPONSE TO THIS GRIEVANCE, I OFFICER NAGY
DO NOT RECALL SPEMCIAGE TO THIS INMATE. / SON'T
PERMY HAVING ANY ISSUE AND DON'T KNOW WHAT
THE INIMETE IS ALLECTIVE. I DIDN'T USE ANY DISCRIMINATION
ON VILGAR LANGUAGE, NON DO I RECAU HAVING ANY DONVERSATION WITH HIM. REGINDING THE AUGGATIONS OF
DONVERSATION WITH HIM. REGINDING THE AUGGATIONS OF
CHOW I DIDN'T REFUSE HIM HIS CHOW, INMATES ARE
RECEASED From THEIR CEUS BASED ON WHAT THEY
REQUEST DURING THE "GO ROUND".
RESPECTANCE DUSMITTED.
Co. M. WAOY
·

arievant	Number See See	Cell	
State of Ne	Grievance Number		Date Filed 3/13/2015
Departme Correction	ent of	Particular of the state of the	Code
Commu	inity VEDBAL HADAS	SMENT/WITHOLDHIG MEAL	
h drame			
Inmate Grievance Prog	Superintendent's Sign	nature	Date
	7 Ja	M dict	4-13-15
The grievant complain	ns of harassment.		•
offered no witness to complaint. Copies of	be interviewed. The ari	es interviewed by Sgt. Me evant offered nothing to een obtained. There is n	further his written
has been obtained. 🕺	The officer states that in	was interviewed by Sgt. I imates are released from denies the grievant's alle	M and a written statement n their cells based on what gations of harassment.
According to the inve	stigation the grievant's a	allegations could not be s	substantiated.
*** Grievance is denie	ed only to the extent not	ed above.	
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	Α	eal Statement	
von wish to refer the abov	e decision of the Superintend	dent please sign below and re	turn this copy to your Inmate
rievance Clerk. You have re appealing this decision	seven (7) calendar days fro	m receipt of this notice to file	your appeal. Please state why y
e appealing this decision	0 3.0.11.0.		•
	.'		
The state of the s		The provided provided and the second	
Griev	/ant's Signature		Date

NEW YORK Corrections and STATE Community Supervision	Grievance Number GH-79241-15	Desig./Code 1/49	3/13/15	
Community Supervision	Associated Cases		Hearing Date 11/4/15	
ANDREW M. CUOMO ANTHONY J. ANNUCCI Governor Acting Commissioner	Green Haven Correctional Facility			
INMATE GRIEVANCE PROGRAM CENTRAL OFFICE REVIEW COMMITTEE	Verbal Harassment/With	holding Meals		

GRIEVANT'S REQUEST UNANIMOUSLY ACCEPTED IN PART

Upon full hearing of the facts and circumstances in the instant case, the action requested herein is hereby accepted only to the extent that CORC upholds the determination of the Superintendent for the reasons stated.

CORC notes that Officer N... denies threatening or discriminating against the grievant or using inappropriate language, and states that he is permitted to go to the messhall and J-School when he requests it during the go around. In addition, it is noted that he does not recall if the grievant requested to speak to a sergeant on 2/26/15 or 2/27/15. CORC has not been presented with sufficient evidence to substantiate malfeasance by staff.

CORC notes that Directive #4040, Section 701.6 (b) states, in part, that no reprisals of any kind shall be taken against an inmate or employee for good faith utilization of this grievance procedure. An inmate may pursue a complaint that a reprisal occurred through the grievance mechanism. CORC also notes that a copy of the instant complaint was forwarded to the Office of Diversity Management in accordance with Section 701.9 of this directive.

In regard to the grievant's appeal, CORC asserts that a proper investigation has been conducted and notes that he has since been transferred. CORC advises him to address security matters to an area supervisor at the time of the incident for the most expeditious means of resolution.

RAS/	•	•
	•	